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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keiichi NAKADA et al.

Serial No.: 10/083,403

Group Art Unit: 2855

Filed: February 27, 2002

Examiner: C. Dickens

Title: FLOWRATE MEASURING DEVICE

REPLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

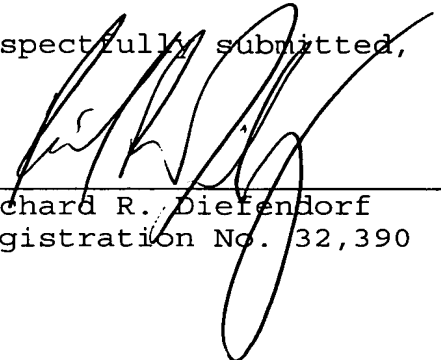
In response to the requirement set forth in the Office Action dated June 17, 2003 (Paper No. 7), the invention defined by claims 1-10, identified as invention "I" by the Examiner, is elected, with traverse, for examination.

Reconsideration of the requirement for restriction is requested. It is readily apparent from the disclosure of this application that the flow rate measuring device forming the subject matter of claims 1-10 is "capable of use" together with the internal combustion engine control system forming the subject matter of claim 11. Attention is directed, for example, to the first paragraph of the disclosure, in which the flow rate measuring device is disclosed as suited for measuring a flow rate of air taken into an internal combustion engine, and to claim 11 itself, from which it is clear that the claimed flow rate measuring device is installed in an intake manifold of an internal combustion engine and forms part of the control system

defined by claim 11. It is respectfully submitted that the rationale provided by the Examiner for requiring restriction is inappropriate under the guidelines set out in MPEP §808.01.

Respectfully submitted,

Date: July 15, 2003



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